

# **Proposed amendments to Rules 661, 635, 663 Rules of Procedure of The State Bar of California**

## ***Proposal 4. Increase in Filing Fee for Reinstatement Proceeding.***

### **“RULE 661. REQUIREMENTS.**

“(a) The petition for reinstatement shall be verified by the petitioner and shall be addressed to the State Bar Court. The original and three copies shall be filed with the Clerk. The petition shall be on the form approved by the Court and completed in compliance with the instructions therein.

“(b) The petitioner shall serve a copy of the petition on the Office of Trials pursuant to the rule for service of initial pleadings (rule 60), accompanied by two (2) sets of original fingerprints on record cards furnished by the State Bar. The fingerprints shall be used and retained for the purposes prescribed in Business and Professions Code section 6054.

“(c) The petition shall not be filed by the Court unless accompanied by a proof of service establishing compliance with the service requirements of this rule. The petition shall be accompanied by a filing fee ~~in the amount specified by the Board of Governors.~~ of \$2,000.00. “

## ***Proposal 5: Require out-of-state applicants for reinstatement to come to California for their depositions.***

“PROPOSED AMENDMENT TO RULE 635, RULES OF PROCEDURE [1.4(c)(ii)  
PROCEEDINGS]

### **“RULE 635. DISCOVERY.**

“There shall be no discovery in proceedings conducted pursuant to these rules except to the extent and upon the terms and conditions permitted by order of the Court upon a showing of good cause, except that the Office of the Chief Trial Counsel may take the petitioner's deposition promptly after the filing of the petition, provided that the taking of such deposition shall not extend any time limit provided under these rules unless ordered by the Court for good cause. *A petitioner for reinstatement who resides outside of the State of California shall appear at his or her own expense in California for his or her deposition, upon thirty days written notice of the time and place of the deposition.*

“PROPOSED AMENDMENT TO RULE 663, RULES OF PROCEDURE [REINSTATEMENT PROCEEDINGS]

“**RULE 663. INVESTIGATION AND DISCOVERY.**

“(a) For one hundred twenty (120) days from the filing of the petition with the Court, the Office of the Chief Trial Counsel shall investigate the petition to determine whether the petition will be opposed. For good cause, the investigation period may be extended by the Court.

“(b) Discovery may be conducted after the end of the investigation period pursuant to rules 180-189, provided that: (1) formal discovery shall be completed within one hundred twenty (120) days after the end of the investigation period unless such time is extended by the Court, and (2) all time limits set forth in rule 182 shall be computed from the end of the investigation period rather than from the service or due date of the responsive pleading.

“(c) *A petitioner for reinstatement who resides outside of the State of California shall appear in California at his or her own expense for his or her deposition, upon thirty days written notice of the time and place of the deposition.*”

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